

Calendar No. 615

105TH CONGRESS }
2d Session }

SENATE

{ REPORT
105-386

OMNIBUS PARKS ACT

OCTOBER 9 (legislative day, OCTOBER 2), 1998.—Ordered to be printed

Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany S. 991]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 991) to make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE MEASURE

The purpose of S. 991 is to make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996.

BACKGROUND AND NEED

Public Law 104-333, Omnibus Parks and Public Lands Management Act of 1996, was enacted on November 12, 1996. S. 991 makes technical amendments to provisions regarding specific national historical parks, preserves, memorials, battlefields, visitor centers, recreation lakes and areas, heritage areas, and historic reserves, districts, and sites. The Act as passed contains several erroneous map references, along with spelling, punctuation, and grammatical errors.

LEGISLATIVE HISTORY

S. 991 was introduced on July 8, 1997 by Senator Murkowski on behalf of the Administration, and referred to the Committee on Energy and Natural Resources. The Subcommittee on National Parks, Historic Preservation, and Recreation held a hearing on S. 991 on March 24, 1998.

At its business meeting on September 24, 1998, the Committee on Energy and Natural Resources ordered S. 991, favorably reported.

COMMITTEE RECOMMENDATION AND TABULATION OF VOTES

The Committee on Energy and Natural Resources, in open business session on September 24, 1998, by a unanimous voice vote of a quorum present, recommends that the Senate pass S. 991.

SUMMARY OF S. 991

S. 991 amends the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333) to make technical amendments to provisions regarding specific national historical parks, preserves, memorials, battlefields, visitor centers, recreation lakes and areas, heritage areas, and historic reserves, districts, and sites.

The bill also extends, through FY 2000, the authorization of appropriations for preservation of structures on or eligible for inclusion on the National Register of Historic Places within the Blackstone River Valley National Heritage Corridor in Massachusetts and Rhode Island.

COST AND BUDGETARY CONSIDERATIONS

The Congressional Budget Office estimate of the costs of this measure has been requested but was not received at the time the report was filed. When the report is available, the Chairman will request it to be printed in the Congressional Record for the advice of the Senate.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 991. The bill is not a regulatory measure in the sense of imposing Government-established standards of significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from enactment of S. 991, as ordered reported.

EXECUTIVE COMMUNICATIONS

On September 3, 1998, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth Executive agency recommendations on S. 991. These reports had not been received at the time the report on S. 991 was filed. When these reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony of the Department of the Interior at the Subcommittee hearing follows:

STATEMENT OF KATHERINE H. STEVENSON, ASSOCIATE DIRECTOR, CULTURAL RESOURCE STEWARDSHIP AND PARTNERSHIPS DEPARTMENT OF THE INTERIOR

Mr. Chairman, and members of the committee; thank you for the opportunity to appear before you today to present the views of the Department of the Interior on S. 991, a bill to make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996, and for other purposes.

The Department of Interior supports enactment of S. 991 with the additional amendments attached to this testimony.

Public Law 104-333, the Omnibus Parks and Public Lands Management Act of 1996 (Omnibus Parks Act) was an important achievement of the 104th Congress. This law has 116 individual titles, including 76 that affect national parks. During the final two weeks of the second session, Congress worked hard to craft a bill that could be supported by most members as well as the Administration. Because of the complexity of this task and the need to finish before Congress adjourned, a number of minor errors occurred involving cross-references, titles, citations, spelling and grammar.

While many of these errors could easily be dismissed as inconsequential, it would help our park employees and those involved with interpreting Congressional intent to make the corrections now to avoid any misunderstandings in the future. Some of these changes involve deleting references to parts of bills that were dropped from the final agreement that became law. Others would standardize references made throughout various parts of a title to assure the correct intent is achieved.

There are three substantive sections that we wish to bring to your attention. First, Section 3 of S. 991 would provide a new map reference for the boundary adjustment at Colonial National Historical Park that was authorized by Section 211 of division I of the Omnibus Parks Act. The map referenced in the Omnibus Parks Act was incorrect as it included only part of Lot 49 in the Page Landing Addition authorized for the park. The excluded portion of the lot would be covered with the new map reference. This change is important as completion of the purchase of this property is being held up pending correction of the map.

Second, Section 20 of S. 991 revises the years for which development funds are authorized to be appropriated to the Blackstone River Valley National Heritage Corridor. Because the Omnibus Parks Act was not enacted until November 1996, two of the three years for which funds were authorized had already passed. The new language reinstates the intended three-year authorization that will allow the work of the Blackstone River Valley National Heritage Corridor to continue.

Third, we propose that a new section 32 be added to S. 991 to clarify that all the fees paid by the permittees for the privilege of entering into Glacier Bay National Park would be available for park purposes related to permittees' activities. This section also deletes language from Section 703 of the Omnibus Parks Act which was determined to jeopardize the increase in cruise ship traffic authorized by a National Park Service rule (61 Fed. Reg. 27,008 (1996)). The Department looks forward to working with the committee on this provision.

Since the time the Administration's bill was transmitted to Congress and introduced as S. 991 last July, a few other technical changes have been brought to our attention. We recommend that S. 991 be amended to include these changes to insure we have addressed as many of the errors as possible at this time. To facilitate your consideration of these amendments, we have attached a redraft of the entire section in which they are included.

I appreciate the opportunity to appear before you and I would be pleased to answer any questions you may have.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill S. 991, as ordered reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman);

(Public Law 104-333, November 12, 1996)

DIVISION I

* * * * *

[SEC. 504. Amendment to Boston National Historic Park Act.]

[SEC. 505. Women's Rights National Historic Park.]

SEC. 504. Amendment to Boston National Historic Park Act.

SEC. 505. Women's Rights National Historic Park.

* * * * *

The Congress finds that—

SEC. 101(1) the Presidio, located amidst the incomparable scenic splendor of the Golden Gate, is one of America's great natural and historic sites;

(2) **[the Presidio is]** *the Presidio was* the oldest continuously operated military post in the Nation dating from 1776, and was designated a National Historic Landmark in 1962;

* * * * *

SEC. 103(b)(1) within 60 days after receipt of a request from the Trust for the transfer of any parcel within the area depicted as Area B on the map entitled Presidio Trust Number 1, dated December 7, 1995, the Secretary shall transfer such parcel to the administrative jurisdiction of the Trust. Within 1 year after the first meeting of the Board of Directors of the Trust, the Secretary shall transfer to the Trust administrative jurisdiction over all remaining

parcels within Area B. Such map shall be on file and available for public inspection in the offices of the Trust and in the offices of the National Park Service, Department of the Interior. The Trust and the Secretary may jointly make technical and clerical revisions in the boundary depicted on such map. The Secretary shall retain jurisdiction over those portions of the building identified as number 102 as the Secretary deems essential for use as a visitor center. The Building shall be named the William Penn Mott Visitor Center. Any parcel of land, the jurisdiction over which is transferred pursuant to this subsection, shall remain with the boundary of the Golden Gate National Recreation Area. With the consent of the Secretary, the Trust may at any time transfer to the administrative jurisdiction of the Secretary any other properties within the Presidio which are surplus to the needs of the Trust and which serve essential purposes of the Golden Gate National Recreation Area. The Trust is encouraged to transfer to the administrative jurisdiction of the Secretary open space areas which have high public use potential and are contiguous to [other lands administrated by the Secretary] *other lands administrated by the Secretary.*

* * * * *

SEC. 105(a)(2) After the plan required in subsection (b) is submitted, and for each of the 14 fiscal years thereafter, there are authorized to be appropriated to the Trust not more than the amounts specified in such plan. Such sums shall remain available until expended. Of such sums, not more than \$3,000,000 annually shall be available through the Trust for law enforcement activities and services to be provided by the United States Park Police at the Presidio [in accordance with section 104(h) of this title] *in accordance with section 104(i) of this title.*

* * * * *

SEC. 211(d) INCLUSION OF LAND IN COLONIAL NATIONAL HISTORICAL PARK.—Notwithstanding the provisions of the Act of June 28, 1938 (52 Stat. 1208; 16 U.S.C. 81b et seq.), limiting the average width of the Colonial Parkway, the Secretary of the Interior is authorized to include within the boundaries of Colonial National Historical Park and to acquire by donation, exchange, or purchase with donated or appropriated funds the lands or interests in lands (with or without improvements) within the areas [depicted on the map dated August 1993, numbered 333/80031A], *depicted on the map dated August 1996, numbered 333/80031B*, and entitled Page Landing Addition to Colonial National Historical Park. Such map shall be on file and available for inspection in the offices of the National Park Service at Colonial National Historical Park and in Washington, District of Columbia.

* * * * *

SEC. 306(d) REPORTING REQUIREMENT.—Not later than 6 months after date of the enactment of this Act and every 6 months thereafter [until the earlier of the consummation of the exchange of July 1, 1998] *until the earlier of the consummation of the exchange or July 1, 1998*, the Secretary of the Interior and the Secretary of Agriculture shall each submit a report to the Committee on Resources of the House of Representatives and the Committee on En-

ergy and Natural Resources of the Senate concerning the progress in consummating the land exchange authorized by the amendments made by the Big Thicket National Preserve Addition Act of 1993 (Public Law 103–46).

* * * * *

SEC. 306(f)(2) FEDERAL LANDS.—The Federal lands described in this paragraph are approximately 2.38 acres of lands [located in Menard Creek Corridor] *located in the Menard Creek Corridor* Unit the Big Thicket National Preserve, as generally depicted on the map referred to in paragraph (1).

(Public Law 90–542, October 2, 1968)

() LAMPREY RIVER, NEW HAMPSHIRE.—The 11.5 mile segment extending from the southern Lee town line to the confluence with the Piscassic River in the vicinity of the Durham-Newmarket town line (hereinafter in this paragraph referred to as the segment) as a recreational river. The segment shall be administered by the Secretary of the Interior [through cooperation agreements] *through cooperative agreements* between the Secretary and the State of New Hampshire and its relevant political subdivisions, namely the town of Durham, Lee, and Newmarket, pursuant to section 10(e) of this Act. The segment shall be managed in accordance with the Lamprey River Management Plan dated January 10, 1995 and such amendments thereto as the Secretary of the Interior determines are consistent with this Act. Such plan shall be deemed to satisfy the requirement for a comprehensive management plan pursuant to section 3(d) of this Act.

(Public Law 104–333, November 12, 1996)

SEC. 502(a) ESTABLISHMENT.—There is established the Vancouver National Historic Reserve in the State of Washington (referred to in this section as the Reserve), consisting of the area described in the report entitled Vancouver National Historic Reserve Feasibility Study and Environmental Assessment [published by the Vancouver Historical Assessment published by the Vancouver Historical Study Commission] *published by the Vancouver Historical Study Commission* and dated April 1993 as authorized by Public Law 101–523 (referred to in this section as the Vancouver Historic Reserve Report).

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[SEC. 504. AMENDMENT TO BOSTON NATIONAL HISTORIC PARK ACT] *SEC. 504. AMENDMENT TO BOSTON NATIONAL HISTORICAL PARK ACT.*

* * * * *

SEC. 508(d) DEPOSIT OF EXCESS FUNDS.—If, upon payment of all expenses of the establishment of the memorial (including the maintenance and preservation amount provided for in [section 8(b) of the Act referred to in section 4401(b)] *section 8(b) of the Act referred to in section 508(b)*, or upon expiration of the authority for the memorial under section 10(b) of that Act, there remains a balance of funds received for the establishment of the memorial, the Alpha Phi Alpha Fraternity shall transmit the amount of the bal-

ance to the Secretary of the Treasury for deposit in the account provided for in section 8(b)(1) of that Act.

(Public Law 89–665, October 15, 1996)

SEC. 205(g) The members of the Council specified in paragraph (2) through (4) of section 470i(a) of this title shall provide the Council, with or without reimbursement as may be agreed upon by the Chairman and the members, with such funds, personnel, facilities, and services under their jurisdiction and control as may be needed by the Council to carry out its duties, to the extent that such funds, personnel, facilities, and services are requested by the Council **[and are otherwise available for that purpose]** *and are otherwise available for that purpose*. To the extent of available appropriations, the Council may obtain, by purchase, rental, donation, or otherwise, such additional property, facilities, and services as may be needed to carry out its duties and may also receive donations of moneys for such purpose, and the Executive Director is authorized, in his discretion, to accept, hold, use, expend, and administer the same for the purposes of this subchapter.

(Public Law 104–333, November 12, 1996)

SEC. 510(a)(1) to preserve and interpret, for the educational and inspirational benefit of the public, **[the contribution of our national heritage]** *the contribution to our national heritage* of certain historic and cultural lands and edifices of the Great Falls Historic District, with emphasis on harnessing this unique urban environment for its educational and recreational value; and

* * * * *

SEC. 511(c)(1) ESTABLISHMENT.—In order to preserve for the benefit and inspiration of the people of the United States as a national historical park **[certain districts structures, and relics]** *certain districts, structures, and relics* located in New Bedford, Massachusetts, and associated with the history of whaling and related social and economic themes in America, there is established the New Bedford Whaling National Historical Park.

* * * * *

SEC. 511(c)(2) BOUNDARIES.—(A) The boundaries of the park shall be those generally depicted on the map numbered NAR–P49–80,000–4 and dated June 1994. Such map shall be on file and available for public inspection in the appropriate offices of the National Park Service. In case of any conflict between the descriptions set forth in clauses (i) through (iv) and such map, such map shall govern. The park shall include the following:

(i) **[The area included with the New Bedford National Historic Landmark District, known as the]** *The area included within the New Bedford Historic District, a National Landmark District also known as the Bedford Landing Waterfront Historic District*, as listed within the National Register of Historic Places and in the Massachusetts State Register of Historic Places.

* * * * *

SEC. 511**[(e) GENERAL MANAGEMENT PLAN]** (f) *GENERAL MANAGEMENT PLAN*.—Not later than the end of the second fiscal year

beginning after the date of enactment of this Act, the Secretary shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a general management plan for the park and shall implement such plan as soon as practically possible. The plan shall be prepared in accordance with section 12(b) of the Act of August 18, 1970 (16 U.S.C. 1a–7(b)) and other applicable law.

SEC. 511【(f) AUTHORIZATION OF APPROPRIATIONS】 (g) *AUTHORIZATION OF APPROPRIATIONS*—

(1) IN GENERAL.—Except as provided in paragraph (2), there are authorized to be appropriated such sums as may be necessary to carry out annual operations and maintenance with respect to the park and 【to carry out the activities under section 3(D)】 *to carry out the activities under subsection (d)*.

(2) EXCEPTIONS.—In carrying out this section—

(A) not more than \$2,000,000 may be appropriated for construction, restoration, and rehabilitation of visitor and interpretive facilities, and directional and visitor orientation signage;

(B) none of the funds authorized to be appropriated by this section may be used for the operation or maintenance of the Schooner Ernestina; and

(C) not more than \$50,000 annually of Federal funds may be used for interpretive and education programs for the Schooner Ernestina 【pursuant to cooperative grants under subsection (d)(2)】 *pursuant to cooperative grants under subsection (e)(2)*.

* * * * *

SEC. 512(a)(1)(B) the town of Nicodemus is symbolic of the pioneer spirit of 【African-Americans】 *African-Americans* who dared to leave the only region they had been familiar with to seek personal freedom and the opportunity to develop their talents and capabilities; and

(C) the town of Nicodemus continues to be a valuable African-American community.

* * * * *

SEC. 513(c) BOUNDARIES.—The Aleutian World War II National Historic Area 【whall be comprised】 *shall be comprised* of areas on Amaknak Island depicted on the map entitled Aleutian World War II National Historic Area.

* * * * *

SEC. 603(d)(2) Matters to be addressed.—【The study under subsection (b) shall】 *The study shall*—

(A) identify Revolutionary War sites and War of 1812 sites, including sites within units of the National Park System in existence on the date of enactment of this Act;

* * * * *

SEC. 606(d) DEFINITIONS.—As used in this section:

(1) The term District means the Shenandoah Valley Battlefields National Historic District 【established by section 5】 *established by subsection (e)*.

(2) The term Commission means the Shenandoah Valley Battlefields National Historic District Commission **established by section 9** *established by subsection (h)*.

(3) The term plan means the Shenandoah Valley Battlefields National Historic District Commission plan approved by the Secretary **under section 6** *under subsection (f)*.

* * * * *

SEC. 606(g)(5) DETAIL.—Each fiscal year during the existence of the Commission and upon request of the Commission, the Secretary shall detail to the Commission, on a nonrembursable basis, 2 employees of the Department of the Interior to enable the Commission **to carry out the Commission's duties under section 9** *to carry out the Commission's duties under subsection (i)*. Such detail shall be without interruption or loss of civil service status, benefits, or privileges.

* * * * *

SEC. 607(d)(2) CONSERVATION EASEMENTS.—The Congress finds that the State of Oklahoma, acting through the Oklahoma Historical Society, **will work with local land owners** *will work with local landowners* to acquire and hold in perpetuity conservation easements in the vicinity of the national historic site as deemed necessary for the visual and interpretive integrity of the site. The intent of the easements will be to keep occupancy of the land in private ownership and use of the land in general agriculture.

* * * * *

SEC. 701(d) The ski area permit rental charge set forth in this section shall become effective on June 1, 1996 and cover receipts retroactive to June 1, 1995: Provided, That if a permittee has paid rental charges for the period June 1, 1995, to June 1, 1996, under the graduated rate rental charge system formula in effect prior to the date of enactment of this Act, such rental charges shall be credited toward the new rental charge due on June 1, 1996. In order to ensure increasing rental charge receipt levels to the United States during transition from the graduated rate rental charge system formula to the formula of this Act, the rental charge paid by any individual permittee shall be—

(1) for the 1995–1996 permit year, either the rental charge paid for the preceding 1994–1995 base year *AGR* or the rental charge calculated pursuant to this Act, whichever is higher;

(2) for the 1996–1997 permit year, either the rental charge paid for the 1994–1995 base year or the rental charge calculated pursuant to this Act, whichever is higher; and

(3) for the 1997–1998 permit year, either the rental charge for the 1994–1995 base year or the rental charge calculated pursuant to this Act, whichever is higher.

If an individual permittee's adjusted gross revenue for the 1995–1996, 1996–1997, or 1997–1998 permit years falls more than 10 percent below the 1994–1995 base year *AGR*, the rental charge paid shall be the rental charge calculated pursuant to this Act.

* * * * *

SEC. 701(f) To reduce administrative costs of ski area permittees and the Forest Service the terms “revenue” and “sales”, as used in

this section, shall mean actual income from sales and shall not include sales of operating equipment, refunds, rent paid to the permittee by **sublessees** *subpermittees*, sponsor contributions to special events or any amounts attributable to employee gratuities or employee lift tickets, discounts, or other goods or services **[(except for bartered goods and complimentary lift tickets)]** *except for bartered goods and complimentary lift tickets offered for commercial or other promotion purposes* for which the permittee does not receive money.

* * * * *

SEC. 809(b) LEGAL REFERENCES.—Any reference in any law, regulation, document, record, map, or other document of the United States to the visitor center **referred to in section 301** *referred to in subsection (a)* is deemed to be a reference to the “Robert J. Lagomarsino Visitor Center.”

* * * * *

SEC. 814(a)(7)(B) **COMPETITIVE LEASING** *COMPETITIVE LEASING*.—Each lease under subparagraph (A)(i) shall be awarded through the use of publicly advertised, competitively bid, or competitively negotiated contracting procedures.

* * * * *

SEC. 814(a)(9) JOINT DEVELOPMENT AUTHORITY.—The Secretary may use authorities **granted by statute** *granted by statute* in combination with one another in the furtherance of providing where necessary and justified affordable field employee housing.

* * * * *

SEC. 814(a)(11)(B) LIMITATION.—The Secretary may only issue a lease under subparagraph (A) if the Secretary finds that there is a shortage of adequate and affordable seasonal quarters at or near such unit and that—

- (i) the requirement for such seasonal field employee quarters is temporary; or
- (ii) leasing would be **more cost effective** *more cost-effective* than construction of new seasonal field employee quarters.

* * * * *

SEC. 814(a)(13) USE OF HOUSING-RELATED FUNDS.—Expenditure of any funds authorized and appropriated for new construction, repair, or rehabilitation of housing under this section shall follow the housing priority listing **established by the agency under paragraph 13** *established by the agency under paragraph (12)*, in sequential order, to the maximum extent practicable.

* * * * *

SEC. 814(a)(18) PROCEEDS.—The proceeds from any lease **under paragraph (7)(A)(i)(I), any lease under paragraph (11)(B), and any lease of seasonal quarters under subsection (1)** *under paragraph (7)(A), and any lease under paragraph (11)*, shall be retained by the National Park Service. Such proceeds shall be deposited into the special fund established for maintenance and operation of quarters.

(Public Law 88–578, September 3, 1964)

SEC. 7(c)(2)(C) **【The sum of the total appraised value of the lands, waters, and interest therein】** *The sum of the total appraised value of the lands, waters, and interests therein* to be added to the area and the total appraised value of the lands, waters, and interests therein to be deleted from the area does not exceed \$750,000.

* * * * *

SEC. 7(c)(2)(F) The Director of the National Park Service obtains written consent for the boundary modification from **【all property owners whose lands, water, or interests therein, or a portion of whose lands, water, or interests therein】** *all property owners whose lands, waters, or interests therein, or a portion of whose lands, waters, or interests therein*, will be added to or deleted from the area by the boundary modifications.

(Public Law 104–333, November 12, 1996)

SEC. 814(d)(2)(E) Section 307(a) of the National Historic Preservation Act **【(Public Law 89–665; 16 U.S.C. 470w–6(a)) is amended by striking】** *(Public Law 89–665; 16 U.S.C. 470w–6(a)), by striking the first and second sentences.*

* * * * *

SEC. 814 (g)(1)(A) The term challenge cost-share agreement means any agreement entered into between the Secretary and any cooperator for the purpose of sharing costs or services in carrying out authorized functions and responsibilities of the Secretary of the Interior with respect to any unit or program of the National Park System **【(as defined in section 2(a) of the Act of August 8, 1953 (16 U.S.C. 1c(a)))】** *(as defined in section 2(a) of the Act of August 8, 1953 (16 U.S.C. 1(c)(a)))*, any affiliated area, or any designated National Scenic or Historic Trail.

(Public Law 99–647, November 10, 1986)

SEC. 10(b) DEVELOPMENT FUNDS.—**【For fiscal year 1996, 1997, and 1998】** *For fiscal years 1998, 1999, and 2000*, there is authorized to be appropriated to carry out section 8(c) not to exceed \$5,000,000.*

(Public Law 104–333, November 12, 1996)

SEC. 1002(a)(4) the National Park Trust, which owns the Spring Hill Ranch, has agreed to permit the National Park Service—

(A) **【to purchase a portion of the ranch】** *to acquire a portion of the ranch*, as specified in the subtitle; and

(B) to manage the ranch in order to—

(i) conserve the scenery, natural and historic objects, and wildlife of the ranch; and

(ii) provide for the enjoyment of the ranch in such a manner and by such means as will leave the scenery, nat-

*Note: reference to Section 10(2) is incorrect and needs to be amended.

ural and historic objects, and wildlife unimpaired for the enjoyment of future generations.

* * * * *

SEC. 1004(b) DESCRIPTION.—The Preserve shall consist of the lands and interests in land, including approximately 10,894 acres, generally depicted on the map entitled Boundary Map, Flint Hills Prairie National Monument numbered NM-TGP 80,000 and dated June 1994, more particularly described in the deed filed at 8:22 a.m. [of June 3, 1994] *on June 3, 1994*, with the Office of the Register of Deeds in Chase County, Kansas, and recorded in Book L-106 at pages 328 through 339, inclusive. In the case of any difference between the map and the legal description, the legal description shall govern, except that if, as a result of a survey, the Secretary determines that there is a discrepancy with respect to the boundary of the Preserve that may be corrected by making minor changes to the map, the Secretary shall make changes to the map as appropriate, and the boundaries of the Preserve shall be adjusted accordingly. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service of the Department of the Interior.

* * * * *

SEC. 1005(g)(3) CONTENT OF PLAN.—The general management plan shall provide for the following:

(A) [Maintaining and enhancing the tall grass prairie] *Maintaining and enhancing the tallgrass prairie* within the boundaries of the Preserve.

* * * * *

SEC. 1021. RECREATION LAKES.

(a) FINDINGS AND PURPOSES.—The Congress finds that the Federal Government, under the authority of the Reclamation Act and other statutes, has developed manmade lakes and reservoirs that have become a powerful magnet for diverse recreational activities and that such activities contribute to the well-being of families and individuals and the economic viability of local communities. The Congress further finds that in order to further the purposes of the Land and Water Conservation Fund, the President should appoint an advisory commission to review the current and anticipated demand [for recreational opportunities at federally-managed manmade lakes] *for recreational opportunities at federally managed manmade lakes* and reservoirs through creative partnerships involving Federal, State, and local government and the private sector and to develop alternatives for enhanced recreational use of such facilities.

(Public Law 88-578, September 3, 1964)

SEC. 13 (b)(6) four persons familiar with the interests of the recreation and tourism industry, conservation and recreation use, Indian tribes, and local governments, at least one of whom shall be familiar with [the economics and financing of recreation related in-

frastructure] *the economic and financing of recreation-related infrastructure.*

* * * * *

SEC. 13(e) The report shall review the extent of water related recreation at Federal manmade lakes and reservoirs and shall develop alternatives to enhance the opportunities for such use by the public. In developing the report, the Commission shall—

(1) review the extent to which recreation components identified in specific authorizations associated with individual Federal manmade lakes and reservoirs have been accomplished;

(2) evaluate the feasibility of enhancing recreation opportunities [at federally-managed lakes] *federally managed lakes* and reservoirs under existing statutes;

(3) consider legislative changes that would enhance recreation opportunities consistent with and subject to the achievement of the authorized purposes of Federal water projects; and

(4) make recommendations on alternatives for enhanced recreation opportunities including, but not limited to, the establishment of a National Recreation Lake System under which specific lakes would receive national designation and which would be managed through innovative partnership-based agreements between Federal agencies, State and local units of government, and the private sector.

(Public Law 104–333, November 12, 1996)

SEC. 1029(d) [(6) RELATIONSHIP OF RECREATION AREA TO BOSTON LOGAN INTERNATIONAL AIRPORT] (6) *RELATIONSHIP OF RECREATION AREA TO BOSTON-LOGAN INTERNATIONAL AIRPORT.*—With respect to the recreation area, the present and future maintenance, operation, improvement and use of Boston-Logan International Airport and associated flight patterns from time to time in effect shall not be deemed to constitute the use of publicly owned land of a public park, recreation area, or other resource within the meaning of section 303(c) of title 49, United States Code, and shall not be deemed to have a significant effect on natural, scenic, and recreation assets within the meaning of section 47101(h)(2) of title 49, United States Code.

* * * * *

SEC. 1029(e)(3)(B) The Secretary shall appoint the first members of the Partnership within 30 days after the date on which the Secretary has received all of the recommendations for appointment [pursuant to subsections (b) (3), (4), (5), (6), (7), (8), (9), and (10)] *pursuant to subparagraphs (e)(2)(C), (D), (E), (F), (G), (H), (I), (J).*

* * * * *

SEC. 1029(f)(2)(A)(I) A program providing for coordinated administration of the recreation area with proposed assignment of responsibilities to the appropriate governmental unit at the Federal, State, and local levels, and nonprofit organizations, including each of the following:

(i) A plan to finance and support improvements and services recommended in the plan, including allocation of non-Federal matching requirements set forth in subsection (h)(2) [and a de-

lineation of profit sector roles and responsibilities] *and a delineation of private-sector roles and responsibilities.*

SEC. 1029 (g) BOSTON HARBOR ISLANDS ADVISORY COUNCIL—

(1) ESTABLISHMENT.—The Secretary, acting through the Director of the National Park Service, shall establish an advisory committee to be known as the Boston Harbor Islands Advisory Council. The purpose of the Advisory Council shall be to represent various groups with interests in the recreation area and make recommendations to the Boston Harbor Islands Partnership on issues related to the development and implementation of the integrated resource management plan developed under subsection (f). The Advisory Council is encouraged to establish committees relating to specific recreation area management issues, including (but not limited to) education, tourism, transportation, natural resources, cultural and historic resources, [and revenue raising activities] *and revenue-raising activities.* Participation on any such committee shall not be limited to members of the Advisory Council.

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(Public Law 100–479, October 7, 1988)

SEC. 3(b)(1) CONTRIBUTION TOWARD CONSTRUCTION.—The Secretary may enter into an agreement with the City of Natchez under which the Secretary agrees to pay not to exceed \$3,000,000 toward the planning and construction by the City of Natchez of a structure to be partially used by the Secretary as an administrative headquarters, administrative site, [and visitors' center for Natchez Historical Park] *and visitor center for Natchez National Historical Park.*

(Public Law 104–333, November 12, 1996)

[SEC. 1035. REGULATIONS OF FISHING IN CERTAIN WATERS OF ALASKA] SEC. 1035. *REGULATIONS OF FISHING IN CERTAIN WATERS OF ALASKA.*

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(Public Law 104–333, November 12, 1996)

DIVISION II

SEC. 104(4) The development of guidelines and standards for projects, consistent with standards established by the National Park Service, for the preservation and restoration of historic properties, including interpretative methods, [that will further history preservation in the region] *that will further historic preservation in the region.*

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SEC. 105. ELIGIBLE RESOURCES.

[The resources eligible for the assistance under paragraphs (2) and (6) of section 104] *The resources eligible for the assistance under paragraph (2) of section 104* shall include those set forth in appendix D of the study by the National Park Service, dated 1993,

entitled A Coal Mining Heritage Study: Southern West Virginia, conducted pursuant to title VI of Public Law 100–699. Priority consideration shall be given to those sites listed as Conservation Priorities and Important Historic Resources as depicted on the map entitled “Study Area: Historic Resources” in such study.

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SEC. 106(a)(3) set forth the responsibilities of the State of West Virginia, units of local government, nonprofit entities, [or Secretary to administer any properties] *or the Secretary to administer any properties* acquired pursuant to section 104.

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SEC. 201(b)(4) to create partnerships among Federal, State, and local governments and their regional entities, and the private sector to preserve, conserve, enhance, and interpret the battlefields [and associated sites associated with the Civil War] *and sites associated with the Civil War* in Tennessee.

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SEC. 207. SAVINGS PROVISIONS.

(a) LACK OF EFFECT ON AUTHORITY OF GOVERNMENTS.—Nothing in this title shall be construed to modify, enlarge, or diminish any authority of the Federal, State, or local governments to regulate any use of land [as provide for by law or regulation] *as provided for by law or regulation*.

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SEC. 301. FINDINGS.—The Congress finds that—

(1) the Augusta Canal National Landmark in the State of Georgia, listed on the [National Historic Register of Historic Places] *National Register of Historic Places*, and designated by the Governor of Georgia as one of four regionally important resources in the State, is one of the last unspoiled areas in the State of Georgia.

(2) the Augusta Canal National Historic Landmark possesses excellent water quality, beautiful rural and historic cultural landscapes, architecturally significant mill structures and mill villages, and large acreages of parks and permanent open space;

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SEC. 501 (8) [a visitors center] *a visitor center* that has already been constructed at the Salem Maritime National Historic Site in Salem, Massachusetts, will be available to interpret the themes of the Essex National Heritage Area established by this title and to coordinate the interpretive and preservation activities of the Area; and

(9) the resident and business communities of the region have formed the Essex Heritage Ad Hoc Commission for the preservation, interpretation, promotion, and development of the historic, cultural, and natural resources of the region and are investing significant private funds and energy to develop a plan to preserve the nationally significant resources of Essex County.

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SEC. 805(b)(2) **【One individuals】** *one individual*, appointed by the Secretary after consideration of recommendations submitted by the Director of the Ohio Department of Travel and Tourism, who is a director of a convention and tourism bureau within the corridor.

